

DFW



PATENT
Customer No. 60,668
Attorney Docket No. 09282.0010-00
SAP Reference No. 2003P00137 US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Joerg BERINGER et al.)	Group Art Unit: 2169
)	
Application No.: 10/658,584)	
)	Examiner: Hares Jami
Filed: September 8, 2003)	
)	
For: RESOURCE FINDER TOOL)	Confirmation No.: 1932
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement mailed February 21, 2007, the Examiner required restriction under 35 U.S.C. § 121 between Group I (claims 1-20 and 25-36) and Group II (claims 21-24). Applicants provisionally elect to prosecute Group I (claims 1-20 and claims 25-36) with traverse.

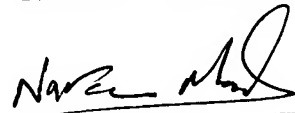
Applicants traverse the restriction requirement because the Examiner has not asserted or demonstrated that there is a serious burden in examining all of the claims at once. *Applied Materials Inc. v. Advanced Semiconductor Materials*, 40 U.S.P.Q.2d 1481, 1492 (Fed. Cir. 1996). In fact, "[i]f the search and examination of an entire application can be made without serious burden, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions." M.P.E.P. § 803 (emphasis added). Applicants submit that there is no additional burden to examining all of the claims at once.

In view of the foregoing remarks, Applicants request that the restriction requirement be withdrawn and that all pending claims be considered during prosecution of this application. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 22, 2007

By: 
Naveen Modi
Reg. No. 46,224